

# PENNRIDGE SCHOOL DISTRICT

## ADMINISTRATIVE GUIDELINES

### UNLAWFUL HARASSMENT

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Pursuant to Board Policy Nos. 248, 348, 448 and 548, the Board of School Directors of the Pennridge School District expressly prohibits harassment on the basis of race, color, religion, ancestry, gender, sexual orientation, national origin, age or handicap/ disability.

Under the aforementioned policies, students and employees are responsible for respecting the rights of others and for ensuring and maintaining an atmosphere free from all forms of unlawful harassment. Accordingly, it is the expectation of the Board of School Directors that all students who have been harassed will report promptly such incidents in accordance with the following procedure:

#### Step I – Reporting Harassment

A student, who believes that he/she has been subjected to harassment of any kind, shall *immediately* report the same, orally or in writing, to his/her Guidance Counselor and/or Building Principal. If a student reports to the Guidance Counselor or another member of the professional or support staff a belief that he/she has been subjected to harassment, the individual receiving that report **must** inform the student of the procedures for reporting harassment and then take action to refer this issue to the Building Principal unless the Building Principal is the accused. In that case, the issue will be referred to the student's Guidance Counselor who will then assume the role of the Building Principal up to the point of the actual investigation. The Building Principal shall notify the student, verbally and in writing, of his/her rights and of the complaint process in general. The format for the written notice is attached hereto as Exhibit "A."

#### Step II – Investigation

The Building Principal shall immediately notify the Superintendent of Schools of the complaint and shall conduct an impartial, thorough and confidential investigation of the alleged harassment. If the accused is the Building Principal, the Superintendent and/or his/her designee will conduct the investigation.

No 243-A

The Building Principal also shall contact the parent(s) or guardian(s) of the student who is making the complaint to apprise them of the situation and to inform them about the complaint process and the ensuing investigation. Based on the nature of the accusation, it may be necessary to contact local law enforcement officials, Children and Youth and/or the District Attorney pursuant to the District's obligations under law, including, but not limited to, Act 151 of 1994. Under such circumstances, District officials will cooperate with local law enforcement officials in the impending investigation.

In determining whether alleged conduct constitutes harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred shall be investigated.

An investigative file with the following information should be maintained:

1. Name, address, telephone number, school, age, date of birth and gender of complainant.
2. Written verification that complainant received a copy of the "Notice to Individuals Complaining of Unlawful Harassment" and the date such notice was provided.
3. Name, address and telephone number of Investigator(s).
4. Nature of complaint as described by complainant, including, but not limited to, the date the complaint was made, the date(s) of the alleged harassment, a description of the conduct which resulted in the complaint, the identify of all participants in the alleged improper conduct, and the identity of any and all witnesses.
5. Remedy being sought by the complainant. (Advisory only)
6. Specifics as to the complainant's viewpoint with respect to confidentiality.
7. Specific steps taken in the investigation, including dates, times and the particular action taken on the listed dates and times.
8. Name, address, telephone number, school or work site, age, date of birth and gender of the accused.
9. Explanation of the incident as perceived by the accused.

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At some point during the investigative process, the Building Principal shall, if feasible, arrange a meeting between the complainant and the accused in an attempt to amicably remedy the situation. Should the accused be a student, his/her parent(s) or guardian(s) must be apprised of the accusation before this meeting takes place. Both the complainant and the accused may have a representative of their choosing at this meeting and at their own expense. A written record of the meeting, including the subject thereof and the names of those present, shall be part of the complete investigative record. A summary of this written record also should be included in the written report prepared by the Building Principal at the conclusion of his/her investigation.

#### Step III – Written Report

Upon concluding the investigation, the Building Principal, within five (5) working days after such investigation has been concluded, shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused, the Superintendent of Schools, and others directly involved, as necessary.

#### Step IV – Appeals Process

If the complainant or accused is not satisfied with the decision rendered by the Building Principal, he/she may file a written appeal within ten (10) working days to the Superintendent of Schools. Should the accused be the Superintendent of Schools, the written appeal shall be made to the Assistant to the Superintendent for Personnel, Instruction and Staff Development who will conduct a review and/or investigation and generate the required report.

Upon receiving such written appeal, the Superintendent of Schools shall review the initial investigative file and report. He/She may also conduct further investigation in his/her discretion. Such additional investigation may include an administrative conference with the complainant and the accused. If such a conference is called, written notice shall be made to each individual and his/her parent(s) or guardian(s), if applicable, at least three (3) working days before the date of said conference. Both the complainant and the accused may have a representative of their choosing at this meeting at their expense.

At the conclusion of the Superintendent's review and additional investigation, if necessary, the Superintendent of Schools shall prepare a written response to the appeal. Copies of the response shall be provided to the complainant, the accused, and others directly involved, as appropriate.

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Step V – Disciplinary Action

Should the matter be resolved in favor of the accused, no further action will be necessary. The investigative file and report shall be sealed and retained by the Building Principal.

If the matter is resolved against the accused, appropriate disciplinary action, including expulsion or discharge if the accused is an employee, will be pursued in accordance with the Public School Code of 1949, as amended, District policy and any employment agreements, if applicable.

Miscellaneous

Nothing in this policy shall be construed to deny any person any rights he/she may possess under state or federal law.

Date: August 20, 1990  
Revised: December 21, 1999

Notice to Students Complaining of Unlawful Harassment

TO:

DATE:

FROM:

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The elimination of improper conduct, including unlawful harassment, is a high priority for the Pennridge School District. It is the established policy of the District to prohibit *all* forms of improper conduct, including sexual harassment. A copy of the District's policy is attached hereto, and we urge you to read it and become familiar with its provisions. We would, however, like to use this notice to highlight certain information.

1. The District's Title IX Coordinator is \_\_\_\_\_  
If you have any questions, you may call him/her at the following address and telephone number:

Pennridge School District

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The District will investigate the allegations of improper conduct that you have brought to its attention. The investigation will be conducted by your Building Principal or the Superintendent of Schools. If you have any questions of the District's investigator, you may contact him/her at the following address and telephone number:

Pennridge School District

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. During the investigation, you have the right to (a) provide the District with information and documentation concerning the alleged improper conduct; (b) advise the District of the identity and location of any possible witnesses, and (c) all other rights set forth in law or in District policy.

4. The District is interested in knowing what action you are seeking in response to the harassment. Although the law does not require that the District comply with requested action in order to eliminate unlawful harassment, a collaborative dialogue may be a useful tool in ensuring that such harassment is eliminated throughout the District.
5. The District will take reasonable steps to preserve confidentiality and will make every effort to prevent public disclosure of the names of the parties involved except to the extent necessary to carry out the investigation. The District is interested in knowing your views about confidentiality issues and will try to accommodate them subject to the District being able to fulfill its commitment to eliminate unlawful harassment.
6. Pennridge School District employees and students who are alleged to be perpetrators of misconduct and unlawful harassment are entitled to due process and are protected by certain confidentiality rights. Subject to the rights of students and/or employees, the District will make an effort to keep you apprised of the progress of its investigation and of any decisions it renders concerning the situation. If you have any questions concerning the progress of the investigation or the actions taken by the District to remediate any harassment that may have occurred, please feel free to contact the Title IX Coordinator or the Investigator identified previously in this notice.
7. If you are dissatisfied with the progress of the investigation or the decision rendered, you have the right under the policy to appeal to the Superintendent of Schools. You may file an appeal by outlining your objections in writing to the Superintendent of Schools at the following address:

Pennridge School District  
District Education Center  
1506 North Fifth Street  
Perkasie, PA 18944

If you decide to appeal the decision rendered by the Investigator of your complaint, such appeal must be made within ten (10) days of receipt of said written decision.

8. If, after investigating your complaint, it is concluded that the allegations have merit and that action will be taken to remediate the situation, the District will follow-up with you to make sure that there is not a recurrence of the improper conduct. If there is any repeat of any improper conduct, we ask that you immediately notify the Title IX Coordinator.
9. The District has a policy of correcting the discriminatory effects of any improper conduct, including sexual harassment. Please feel free to advise of the things that



you believe that the District should do to correct the discriminatory effects of the improper conduct.

10. Retaliation by anyone against an individual who has reported improper conduct, including sexual harassment, is strictly forbidden. If you believe that anyone is retaliating against you in any way, please notify the Title IX Coordinator immediately

Thank you for your assistance and cooperation

I hereby acknowledge receipt of this notice.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

cc: Complainant  
Title IX Coordinator  
Investigator

File:Forms/Notice to Individuals/11/12/99

### INVESTIGATIVE FACT SHEET

I. The Complaining Party(ies).

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Age: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Gender: \_\_\_\_\_

Parents: \_\_\_\_\_

Parents' Address \_\_\_\_\_

Parents' Telephone No \_\_\_\_\_

School/Employer: \_\_\_\_\_

Has the Complaining Party(ies) been provided with the "Notice to Individuals  
Complaining of Sexual Harassment?" ☐ Yes ☐ No

Date Notice Provided: \_\_\_\_\_

[Attach copy of Notice with acknowledgement of receipt.]

II. The Investigator(s).

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_



### III. Nature of Complaint as Described by Complaining Party(ies).

Date Complaint Made:

Description of Improper Conduct:

Identity of all Participants in the Improper Conduct.

**Identity of Witnesses.**

What would the complaining party(ies) like the District to do to remedy the situation?

What is the complaining party's viewpoint with respect to confidentiality? \_\_\_\_\_

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IV. Investigation.

Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

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Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

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Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

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Date: \_\_\_\_\_

Action Taken: \_\_\_\_\_

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V. Conclusions Reached: \_\_\_\_\_

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VI. Actions Taken to Eliminate Improper Conduct: \_\_\_\_\_

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VII. Follow-up Action Taken to Ensure that Remedial Action is Effective: \_\_\_\_\_

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